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September 12, 2012

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### By Hand

Honorable Martin Glenn, United States Bankruptcy Judge United States Bankruptcy Court for the Southern District of New York One Bowling Green New York, NY 10004

In re Residential Capital, LLC, et al., Chapter 11 Case No. 12-12020 (MG) Re:

Dear Judge Glenn:

We are counsel to Residential Capital, LLC and its debtor affiliates in the above captioned cases. We write to provide the Court with two documents referenced during the hearing held before the Court on September 11, 2012 at 2:00 p.m. (the "Hearing").

Attached as Exhibit 1 is the Order of the United States Court of Appeals for the Second Circuit staying all of the coordinated cases being prosecuted before Judge Cote until the motions panel of the Second Circuit makes a determination on the pending emergency motion to stay the coordinated cases. This stay includes the "Ally Case" that is the subject of the FHFA's motion heard at the Hearing. Pursuant to the Notice of Motion Placed on the Calendar, attached as Exhibit 2, that motion will be heard on Tuesday, September 25, 2012.

Joel C. Haims

**Enclosures** 

**Electronic Filing** cc:

Exhibit 1

## UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 11th day of September, two thousand and twelve.

Before:

Richard C. Wesley,

Circuit Judge.

Federal Housing Finance Agency, as Conservator for the Federal National Mortgage Association and The Federal Home Loan Mortgage Corporation,

Plaintiff - Appellee,

v.

UBS Americas Inc., UBS Real Estate Securities Inc., UBS Securities, LLC, Mortgage Asset Securitization Transactions, Inc., David Martin, Per Dyrvik, Hugh Corcoran, Peter Slagowitz,

Defendants - Appellants.

\_\_\_\_\_

IT IS HEREBY ORDERED that the motion by appellants UBS Americas, Inc. *et al.* for a stay pending appeal of further proceedings in the District Court for the Southern District of New York in *Federal Housing Finance Agency, as Conservator for the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation v. UBS Americas, Inc., <i>et al.*, No. 11-cv-5201, and fifteen coordinated actions before Judge Cote will be submitted to a motions panel on September 25, 2012. District court proceedings are stayed pending a determination of the motion by the motions panel. Appellee's supplemental opposition to the motion is due on or before 5:00 pm on September 18, 2012. Appellants may file a reply in further support of their motion and in response to the supplemental opposition on or before noon on September 21, 2012.

For the Court:

Catherine O'Hagan Wolfe, Clerk of Court

**ORDER** 

Docket No.: 12-3207



Exhibit 2

# 

### Thurgood Marshall U.S. Courthouse 40 Foley Square New York, NY 10007

DENNIS JACOBS

CATHERINE O'HAGAN WOLFE

CHIEF JUDGE

CLERK OF COURT

Date: September 11, 2012 DC Docket #: 11-cv-5201

Docket #: 12-3207cv DC Court: SDNY (NEW YORK CITY)

Short Title: Federal Housing Finance Agency v. UBS DC Judge: Cote

Americas Inc. Francis

#### NOTICE OF MOTION PLACED ON THE CALENDAR

A motion for a stay pending appeal of further proceedings in the District Court, filed in the above-referenced case has been added as a submitted case to the substantive motions calendar for Tuesday, September, 25, 2012.

Inquiries regarding this case may be directed to 212-857-8595.